

## KOSOVO CRISIS: SERBIAN NATIONAL SECURITY AND INTERNATIONAL MILITARY INTERVENTION

BY

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USAWC STRATEGY RESEARCH PROJECT

## **KOSOVO CRISIS: SERBIAN NATIONAL SECURITY AND INTERNATIONAL MILITARY INTERVENTION**

by

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## **ABSTRACT**

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The 1998-1999 crises in the Kosovo-Metohija region of the Federal Republic of Yugoslavia resulted in the unilateral armed intervention of the United States and NATO against Serbia. This military “humanitarian” intervention directly and negatively affected both the national security interests of Serbia as well as the strategic stability in a very sensitive region of the Balkans that had started to emerge from the catastrophic Yugoslav Civil Wars in the 1990s. This largely unilateral intervention was not based on the usual premises of international law nor was it sanctioned by the multilateral decision making mechanisms of the United Nations. Instead, this intervention and subsequent United States policy assisted without preconditions the violent secessionist movement of the ethnic Kosovar Albanians to unilaterally declare their own “independence” in Kosovo in February 2008. This case study analyzes the Kosovo crisis and examines its aftermath and impact on the national security interests of Serbia.

## KOSOVO CRISIS: SERBIAN NATIONAL SECURITY AND INTERNATIONAL MILITARY INTERVENTION

The Yugoslav Civil Wars of the 1990s not only dissolved post World War II Yugoslavia but adversely affected the national security posture and the socioeconomic status of what is now the Republic of Serbia. The 1999 crisis in the Serbian sovereign territory of Kosovo-Metohija caused a military intervention by NATO against Serbia. This military intervention and the subsequent foreign policy directions of the United States as well as other NATO powers led to the unilateral declaration of “independence” for Kosovo by the ethnic Kosovar Albanians on February 17, 2008.<sup>1</sup> The 1999 NATO military intervention in Kosovo-Metohija and the unilateral declaration of “independence” of Kosovo by its ethnic Albanians that was not sanctioned by the United Nations has led to the direct loss of Serbian national sovereign territory. According to the U.S. Department of State (U.S. DOS), Serbia now occupies a land area that is smaller than the State of Maine, one of the smaller states on the East Coast of the United States.<sup>2</sup> This is in sharp contrast with the status of former Yugoslavia as a regional power in the Balkans and a major non-aligned Third World actor during the Cold War.

The catalytic effect of the 1999 Kosovo-Metohija crisis and NATO’s military intervention on the national security and territorial sovereignty of Serbia is the subject of the present paper. The United States-led NATO military intervention in Kosovo-Metohija in 1999 was not within the legitimate boundaries of a multilateral and internationally sanctioned humanitarian intervention. The complex interplay between domestic politics in a number of countries and their international relations created an outcome in Kosovo-Metohija with far reaching and long-term implications. These

implications negatively affected the national security and territorial sovereignty of Serbia as well as the parameters for continuous peace and stability in the Balkans. They have also played a direct or indirect role in other sensitive regions of the world where both the United States and other countries have substantial national security interests. For example the parameters of the 1999 Kosovo-Metohija crisis and NATO's military intervention became a very relevant reference point during the short but sharp military conflict between the forces of the Russian Federation and the Republic of Georgia in the regions of South Ossetia and Abkhazia in August 2008.

NATO's military intervention during the 1999 crisis in Kosovo-Metohija and the subsequent unilateral declaration of "independence" by the ethnic Kosovar Albanians also underscores the limits of military humanitarian interventions with respect to the conventional and universally accepted concept and internationally recognized legal principle of national sovereignty. NATO's selective military intervention in Kosovo-Metohija that initially was not sanctioned by the United Nations (UN) essentially assisted the military and political aims of a certain ethnic faction that was involved in a domestic insurgency against a nation-state in the sensitive region of the Balkans, and by force fundamentally altered internationally recognized boundaries in Europe. This selective, and allegedly humanitarian, military intervention took place while the factual indicators of any organized effort at a genocide were completely lacking. By way of contrast, NATO and the West remained more or less "apathetic observers" while the ethnic Tutsis and the moderate Hutus were massacred en masse by the Hutu military and organized militias during the 1994 Rwanda genocide.

The United States and NATO's assistance to the "independence" goals of the Kosovar ethnic Albanians has fueled the irredentist and transnational aspirations of a "greater Albania" and transformed the internationally recognized territorial boundaries of the Balkan states into relative and "negotiable" geographic delimitations that can be changed by force of arms if it is politically expedient. For example, following the 1999 crisis in Kosovo-Metohija, ethnic Albanian armed groups conducted open guerilla warfare against the central government forces in the Republic of Macedonia in 2001 with the active support of their ethnic counterparts in neighboring Kosovo that was under the control of the largely NATO-based Kosovo Force (KFOR) peacekeeping contingents. The same KFOR contingents were largely unable and/or unwilling to deter the March 2004 organized Albanian pogrom against ethnic Serbs who had stayed in Kosovo-Metohija after the 1999 crisis.

#### A Brief Historical Background

The region of Kosovo-Metohija is an integral part of Serbian geography, history and culture. It was part of the Eastern Orthodox Christian Serbian medieval kingdoms in the 12<sup>th</sup> – 14<sup>th</sup> Centuries A.D. It is dotted by a number of medieval Serbian Orthodox Christian monasteries that trace their lineage to those ages. For example the Dečani Monastery that was founded in 1330 was a medieval center of rural agricultural economic development with no less than 2,166 farming houses in its surrounding area, and with the local population supporting its activities under a Serbian imperial decree (the 1349 Dušan Code).<sup>3</sup> Kosovo Polje – the Field of Blackbirds (close to modern day Pristina) – is the historic battlefield where a united force of Orthodox Christian Serbs under Prince Lazar gave battle against the invading forces of the Turkish Ottoman Empire under Sultan Murat I in June 1389 A.D. Although the Serbs were defeated (both



Lazar and Murat were killed), this battle is celebrated in Serbian culture as the symbol of resistance to foreign invasions and the national struggle for independence. The Serbian Empire finally succumbed to the invading Ottoman Turkish armies in 1459 A.D.<sup>4</sup> (Constantinople, the capital of the Eastern Roman Byzantine Empire, fell in May 1453 A.D. to the Ottoman Turkish forces of Mehmet the Conqueror). The presence of the Turkish Ottoman Empire in the Balkans had fundamental sociopolitical and cultural consequences that are felt to this day.

The introduction of the Muslim religion in the Balkans and the widespread voluntary or involuntary conversions of Christian populations to Islam under the Turkish Ottoman domination exacerbated existing ethnic and/or cultural fissures and created new ones. While certain Christian populations such as the Serbs strove to maintain their ethnic, cultural and religious identity largely under the aegis of their respective Orthodox Christian Churches, others aligned themselves more closely with the administration of the Ottoman Turkish Sublime Porte. On several occasions the Serbs joined the Christian West in military conflicts with the Ottoman Turks, including the 1683-1690 campaign that followed the failed Turkish siege of Vienna, and the 1788-1791 Austrian-Turkish war when Austrian troops briefly held Belgrade.<sup>5</sup> The Serb military victories against the Ottoman Turks during the rebellion of 1804-1806, and the continuing military conflict in 1810-1813 substantially increased the geographic areas that again became self-governed and autonomous. During this period, the Russian Empire pursued its own wars against Ottoman Turkey, and Russian forces (Orthodox Christian co-religionists) cooperated with the Serbs.<sup>6</sup> Under the 1830 Russian-Turkish

Treaty of Adrianople (what is now Edirne in Eastern Thrace, Turkey), Serbia formally gained its independence.<sup>7</sup>

While the United States was deciding its national survival as a unified federal republic on the battlefields of the Civil War during the 1861-1865 period, Serbia was gradually severing its linkages to and limiting the political influence of the decaying Turkish Ottoman Empire, while entering into alliances with neighboring countries such as Montenegro, Greece and Wallachia that had also become independent from Ottoman rule.<sup>8</sup> Rebellions against Ottoman rule in Bosnia and Herzegovina resulted in general warfare against the Ottoman Turkish armies in 1876-1878 with the direct involvement of Russian forces, and the political maneuvering by other foreign powers such as the British and Austro-Hungarian Empires. The Turkish military defeat resulted in the 1878 Congress and Treaty of Berlin that increased the size of Montenegro, but ceded control of Bosnia-Herzegovina to the Austrian-Hungarian Empire.<sup>9</sup>

During the First Balkan War from October 1912 – May 1913 the allied kingdoms of Serbia, Montenegro, Greece and Bulgaria attacked the forces of the Turkish Ottoman Empire in the Balkans. Serbian and Montenegrin forces took control of Kosovo after defeating the Turkish forces at Kumanovo and neutralizing the plans of ethnic Albanians to unite with a newly independent Albania that had been largely sponsored by the Austro-Hungarian Empire and Italy.<sup>10</sup> The Second Balkan War in June 1913 saw the defeat of Bulgaria by Serbia, Montenegro, Romania, Greece and Turkey. Although Serbia saw a large increase in its territory, it also faced increased hostility from the Austro-Hungarian Empire (that had Bulgaria as a political client), and from its domestic Kosovar Albanian population.<sup>11</sup>

The continuous rivalry between Serbia and the Hapsburg dynasty of the Austro-Hungarian Empire led to the formation of ultra-nationalist movements within Serbia (e.g., the Black Hand), the assassination of Archduke Ferdinand and his wife in Sarajevo, Bosnia, and the start of World War I after the Austro-Hungarians with German backing declared war on Serbia.<sup>12</sup> Although Serbia effectively defended itself against the Austro-Hungarian armies, in 1915 it suffered a combined attack by German, Austro-Hungarian and Bulgarian forces. The Serbian Army carried out a fighting retreat through Montenegro, Kosovo and Albania to the Greek island of Corfu suffering considerable losses in the process.<sup>13</sup> Kosovar Albanians took the opportunity to attack retreating Serbian columns and to inflict further casualties.<sup>14</sup> The Serbian forces joined the Allied forces in the Greek city of Salonika, and later participated in the Allied offensive against Bulgaria in September 1918, reoccupying national Serb territory and materially aiding in the disintegration of the Austro-Hungarian Empire. By the end of World War I Serbia had suffered at least 850,000 dead and had lost half of its pre-WW I economic resources. The Allied victory led to the formation of the Kingdom of Yugoslavia. However, Yugoslavia was beset by internal ethnic, cultural and socio-political tensions, while Italy emerged as a new strategic regional external threat.<sup>15</sup> Reconstruction and uneven industrial economic development between the regions of Croatia and Slovenia and the rest of Yugoslavia increased these tensions.<sup>16</sup> Serbian population movements into Kosovo and the emigration of Kosovar Albanians to Turkey during the 1920s and 1930s were partially successful in reducing ethnic tensions in that region during the interwar period.<sup>17</sup> The imposition of dictatorial rule by the royal palace within Yugoslavia in 1929 gave rise to further political discontent and to the under-

ground development of the Communist Party of Yugoslavia (CPY). Josip Broz Tito, a charismatic communist leader from Croatia and former non-commissioned officer of the Austro-Hungarian army in World War I, became its General Secretary in 1937 through an appointment by the Moscow-controlled Comintern (Communist International) in the U.S.S.R.<sup>18</sup>

Yugoslavia suffered from severe political divisions and opposing alignments as World War II broke out in Europe. The failed Italian invasion of Greece in October 1940, brought increased Axis pressure on Yugoslavia as Germany sought to buttress its failing Italian partner in the Balkans prior to the planned Axis invasion of the Soviet Union. German mechanized and armor formations crossed into Bulgarian territory in March 1941. When the Yugoslav Armed Forces overthrew a pro-Axis government in Belgrade, the German forces activated Operation Maritsa simultaneously invading Yugoslavia and Greece on April 6, 1941. Yugoslavia had not managed to fully mobilize and its defenses and quickly collapsed under the mechanized and armor thrusts of the German Wehrmacht while the aerial bombardment of Belgrade by the German Luftwaffe killed at least 17,000 persons. The Axis powers partitioned Yugoslavia; Italy gained control of Kosovo, Slovenia and Montenegro, and an Axis terror campaign — assisted by a Croatian fascist collaborationist government under Ante Pavelić — was unleashed against the Eastern Orthodox Christian Serbs and Yugoslav citizens of the Jewish faith.<sup>19</sup>

Despite his low level education as a metal worker, Tito exhibited major organizational and strategic leadership qualities during World War II. Following the June 21, 1941 German invasion of the U.S.S.R. (which was crucially delayed by the

German invasion of Yugoslavia and Greece), the CPY under Tito's energetic leadership mobilized against the Axis and formed a popular guerilla army of partisans from Yugoslavia's ethnic and cultural mosaic that became the dominant political and military resistance force against the occupying Axis forces and their collaborators within Yugoslavia.<sup>20</sup> The officer cadre of the partisan army benefited both from former Yugoslav armed forces officers and NCOs, as well as from Yugoslav communist volunteers who had fought in the Spanish Civil War with the International Brigades.<sup>21</sup> Tito and the CPY-dominated partisan army fought a ruthless guerilla war not only against the Axis occupation forces but also against other non-communist resistance movements such as the Chetniks (Četnici) of Colonel Draža Mihailović a Royal Yugoslav Army officer with allegiance to the Yugoslav monarchy and its government-in-exile in London who originally enjoyed British material support.<sup>22</sup>

Tito adopted the classic tactic of guerilla warfare of survival for his large partisan army formations. He exercised personal initiative in crucial battles so that the main body of his partisans could escape encirclement while saving their own wounded as in the battle of the Neretva River in the beginning of 1943 when the Axis launched major counter-guerilla operations falsely believing that the Allies were about to land in the Balkans.<sup>23</sup> Tito almost fell victim to a dedicated German airborne assault at his headquarters in May 1944.<sup>24</sup> By the time Italy exited World War II in September 1943, Tito's partisans had attained significant military victories against the Axis forces and the Mihailović's Chetniks and had liberated large areas in Yugoslavia. On the political front, the United States, the Soviet Union and Great Britain recognized Tito's partisans as the main political and military force in Yugoslavia during the Tehran Conference in

December 1943. With the advance of the Soviet Red Army into the Balkans in September 1944, Tito coordinated the liberation of Yugoslavia from the Axis *without* significant Soviet assistance and *without* having Soviet Army units remaining in Yugoslavia following their subsequent advance into Hungary.<sup>25</sup>

The temporary Italian annexation of Kosovo during World War II unleashed armed groups of Kosovar Albanians against the Serbs and Montenegrins inhabiting Kosovo while the occupation forces of fascist Italy remained passive. Between 30,000 to 100,000 Serbs and Montenegrins were forcibly expelled while 3,000-10,000 were killed. The Germans managed to create the SS “Skanderberg” division with Kosovar Albanian volunteers in 1944. This armed group committed a series of atrocities against the Serb and Montenegrin population to the point that the Germans disarmed some of its battalions. Tito’s communist guerilla forces were unable to attract recruits among the Kosovar Albanians (although the anti-Axis communist guerilla forces of Enver Hoxha in Albania did enjoy a degree of domestic popular support). By 1945, Yugoslav forces violently suppressed the remaining armed groups of Kosovar Albanians in Kosovo.<sup>26</sup> Enver Hoxha, the Stalinist post-World War II leader of Albania formally ceded control of the Kosovo region to Yugoslavia.<sup>27</sup> Non-communist movements were suppressed after the war and on November 29, 1945 a CPY-vetted constituent assembly proclaimed the establishment of the Socialist Federal Republic of Yugoslavia which effectively became a one-party communist state. Yugoslavia was devastated at the end of World War II. Approximately 1.7 million Yugoslavs died in World War II — a number that amounted to 11 percent of the prewar population — while the country’s economic infrastructure was severely damaged and the remaining population was on the verge of starvation.<sup>28</sup>

## Kosovo and Post-World War II Yugoslavia

Tito's celebrated break from the Soviet sphere of influence and the emergence of post-World War II and post-colonial nation-states gave rise to the Non-Aligned Movement that was initially founded by Yugoslavia, India, Egypt and Indonesia in the 1950s. The Non-Aligned Movement had 117 member states in 1979. Despite the Yugoslav-Soviet rapprochement during the leadership of the U.S.S.R. by Nikita Khrushchev in the 1960s, Tito always considered the Soviet Union as a threat to Yugoslav national security and balanced Yugoslavia's foreign relations between East and West while he also sought and achieved warm relations with the People's Republic of China.<sup>29</sup>

Unlike the post-World War I policies of the Yugoslav monarchy, the CPY did not seek the return of ethnic Serb population to the region of Kosovo and Metohija.<sup>30</sup> Both through the application of a mix of authoritarianism and regional collaboration driven through the application of communist ideology, Yugoslavia achieved a degree of ethnic peace among its constituent republics. For example, major federal government appointments and senior command positions in the Yugoslav Armed Forces were ethnically mixed.<sup>31</sup> At the same time the "dissemination of national, racial, and religious hatred was prohibited and fervently prosecuted,... there was a genuine effort to protect minorities," and at "the same time, a guise of harmonization was imposed through propaganda..." that albeit inaccurately glorified the World War II exploits of *all* constituent republics and ethnic regions of Yugoslavia.<sup>32</sup> At the same time Yugoslavia permitted the Kosovar Albanians to maintain extensive cultural and educational connections with the neighboring state of Albania itself where the open expression of Albanian culture and practice of religion were suppressed by the Stalinist Hoxha regime. Although ethnic Kosovar Albanians were excluded from the local administration of

Kosovo, Albanian-language schools operated in the area with educational materials in the Albanian language.<sup>33</sup> Following ethnic Kosovar Albanian demonstrations in 1968, the Pristina University was established in Kosovo with instruction in the Albanian language and textbooks supplied from Albania. Kosovar Albanians were also permitted to openly display the Albanian flag within Kosovo.<sup>34</sup>

Ethnic peace in Kosovo was maintained in 1974-1981 because of a number of factors. Under the 1974 Yugoslav Constitution, a great degree of autonomy was granted to the Kosovo region almost equivalent to that of the constituent republics and local power transitioned to local CPY members.<sup>35</sup> For example, in the Kosovo Autonomous Province Kosovar Albanians held the majority of public sector jobs while those held by Serbs decreased from over 50 percent in 1966 to just 22.5 percent by 1985. The University of Pristina was given its own independent status from the University of Belgrade, the Yugoslav federal government made considerable capital investments in Kosovo's economic infrastructure, e.g., mining and electric power generation, and the use of the Albanian language was given open federal support.<sup>36</sup>

Economic and demographic developments as well as ethnic and socio-political divisions had a synergistic destabilizing effect on the domestic peace of Yugoslavia in the 1980s. The post-World War II economic development of Yugoslavia was very uneven. The largest part of Serbia, Croatia and Slovenia developed industrialized economies while southern Serbia, Kosovo, Montenegro and Macedonia relied on labor-intensive economic activities. This resulted in sharply unequal regional income and employment levels as well as in great disparity in the availability of social services.<sup>37</sup> By 1988 the economic output per capita in Slovenia "was eight times that of Kosovo."<sup>38</sup>



The federal Yugoslav government attempted to address these problems through various programs of regional cross-subsidies and economic wealth transfers that primarily affected the more robust industrial domestic economies of Croatia and Slovenia. These programs were largely unsuccessful in increasing employment levels in Kosovo while at the same time heightened the sentiments of nationalistic resentment both in Croatia and Slovenia.<sup>39</sup> At the same time, the Kosovar Albanian population was undergoing a demographic explosion because of its high birth rate which was the highest in Europe. This put additional pressures on Kosovo's economy and further decreased the standard of living for Serbs and Kosovar Albanians in the region. Since the Kosovar Albanians also had the lowest literacy rate in Yugoslavia, by 1981 "only 178,000 of 1.5 million Albanians in Kosovo were employed" and "one in four of those employed held nominal bureaucratic positions" while "the student population of 470,000 was a constant source of political unrest and potentially higher unemployment upon graduation."<sup>40</sup>

The import-dependent Yugoslav economy also suffered from the consequences of its own socialist industrial production inefficiencies that did not permit the closure of uneconomic manufacturing enterprises, as well as from the worldwide energy crises in the 1970s. Yugoslavia sought financial assistance from the International Monetary Fund (IMF) in 1979 and the IMF imposed fiscal austerity measures in domestic spending and a reduction in the importation of consumer goods. As a result "[l]iving standards declined by one-third during the period of 1979-1988" with parallel large increases in unemployment, and by 1989 "the standard of living had fallen by 40 percent since 1982" essentially returning the relevant "indicator to the level of the mid-1960s."<sup>41</sup> These IMF policies were fully consistent with and supported by the neo-liberal

structural adjustment economic reform policies of the United States Treasury Department under the Administration of President Ronald Reagan for debtor nation-states. However, such policies often have grave and rather unforeseen domestic socio-political effects as they eventually had for former Yugoslavia.<sup>42</sup>

The death of Tito in 1980 provided an additional factor of instability in the domestic affairs of Yugoslavia. The economic depression of the Yugoslav economy that was felt more acutely in Kosovo with its unsustainable unemployment levels also increased the level of ethnic harassment by Kosovar Albanians against Kosovo's Serb inhabitants. In 1981 the Kosovar Albanians accounted for 77.5% of Kosovo's population, while the Serbs remaining in Kosovo accounted for only 13.3%. A combination of the economic conditions and Kosovar Albanian harassment drove many of the Kosovo Serbs to permanently resettle within the boundaries of the Serb constituent republic during the 1980s.<sup>43</sup> In March 1981 massive Kosovar Albanian student demonstrations at the University of Pristina ignited unrest and the specter of Kosovar Albanian separatism under the slogans of "Kosovo Republic" a "unified Albania," and "we are not Yugoslavs." The federal Yugoslav authorities reacted forcefully against the protesters even using troops of the national Yugoslav National Army (JNA) to violently restore order in the Kosovo region.<sup>44</sup> The increasing direct control of the Kosovo region by the Yugoslav federal government that also included severe policing measures and massive numbers of arrests, also fractured the mechanisms and functions of the CPY itself in Kosovo, eliminated the opportunities of political dialogue between the ethnic groups inhabiting the region as well as with the federal government in Belgrade, and increased the nationalistic bitterness not only

among the Kosovar Albanians but also among the Serbs within the overall boundaries of Yugoslavia. The rise of Slobodan Milosevic in the leadership of the Serbian Communist Party in 1987 provided the sociopolitical platform for the Serbian reaction to the increased undercurrents of Kosovar Albanian separatism. Milosevic declared that Kosovo would never cease to be an integral part of Yugoslavia in an April 1987 speech at Kosovo Polje. The elevation of Milosevic to the presidency of Yugoslavia in May 1989 gave a new impetus for maintaining Kosovo as part of Yugoslav sovereign territory. However, this impetus was becoming increasingly focused on Serb ultra-nationalism to the detriment of the federal unity of Yugoslavia.<sup>45</sup> In short, Milosevic undermined the broad political consensus of Tito's and the CPY's principles for establishing and maintaining an operational system of federal Yugoslav republics that had been affirmed and expanded through the 1974 Yugoslav Constitution.

#### The Making of the Kosovo Crisis

In February 1989 Milosevic formally abrogated the autonomous status of Kosovo and the region became directly governed by the central government in Belgrade through martial law and heavy-handed policing tactics.<sup>46</sup> Additional measures were imposed that had material effects on the employment and earning capability of Kosovar Albanians in an already depressed economy, e.g., transformation of the Kosovar police force into a Serb-dominated formation, the dismissal of Kosovar Albanians working in health services, electronic and print media outlets, and the imposition of a Serbian-based educational curriculum in the educational system including the University of Pristina while funding for Albanian schools ceased. In turn this increased the radical separatist tendencies of the Kosovar Albanians. The formal creation of the Democratic League of Kosovo (LDK) in December 1989 under the leadership of Ibrahim Rugova, a

professor of Albanian literature and former CPY member, coincided with the fall of the Berlin Wall and the armed revolution that toppled the dictatorial Ceausescu communist regime in Romania. The LDK represented the intellectual elite of the Kosovar Albanian society and originally pursued a separatist agenda through peaceful means by essentially organizing a “shadow government” in Kosovo which largely went undisturbed by the Yugoslav government, police and military authorities in the region. For example, Yugoslav authorities did not interfere with an illegal September 1991 local referendum among Kosovar Albanians that called for the “independence of Kosovo” in which more than one million persons participated.<sup>47</sup> However, the period of June-July 1991 saw the start of the Yugoslav Civil Wars with the unilateral declaration of independence by Slovenia and Croatia. Slovenia and Croatia were recognized as independent states by the European Community (EC – now European Union or EU) in January 1992 following German political pressure and initiatives and despite the United States George Bush Administration misgivings about the regional destabilizing effects from the disintegration of Yugoslavia.<sup>48</sup> In August 1991 the Soviet Union also ceased to exist and the attention of United States foreign policy makers needed to focus not only on the developments in the Balkans, but also on matters that ranged from the evolution of the new Russian Federation, the aftermath of the 1990-1991 Gulf War in the Middle East, and the transition of power from the apartheid regime in the Republic of South Africa.

With the political dissolution of Yugoslavia spreading into Bosnia-Herzegovina, there was a significant turn in United States foreign policy that started supporting the Muslim-dominated Bosnian government of Alija Izetbegović.<sup>49</sup> The United States changed course in support of Bosnian independence in February 1992 as a result of

domestic public pressure that centered on alleged “Serbian aggression” and “plans” for the “creation of a greater Serbia.” The fact that the United States had themselves survived as a federal republic through the very bloody Civil War of 1861-1865 had no historical relevance in America’s “sound byte” electronic and print media. This fundamental change in course of United States foreign policy in the Balkans brought about a convenient alignment with the EC policies that Germany — playing the political interventionist role of the past Austro-Hungarian Empire in the Balkans — had earlier initiated with the recognition of the unilateral independence for Croatia and Slovenia. By April 1992 Bosnia-Herzegovina was fully engulfed in armed civil conflict despite its recognition by the United States and the EC countries in the same month.<sup>50</sup>

The switch in United States foreign policy in the Balkans did not go unobserved by the Kosovar Albanian LDK and Rugova who actively courted their own political support in the West and in the U.S. in particular. The “Albanian lobby” in the United States Congress under the leadership of Senator Bob Dole, and professional U.S. lobbying firms in Washington, DC, had a relatively easy time communicating the separatist message of the Kosovar Albanians in the U.S. As early as December 1992 the United States threatened “armed action” against the Milosevic government if armed conflict was to break out in Kosovo because “of Serbian action.”<sup>51</sup> These international lobbying activities and the LDK “shadow government” in Kosovo were financially supported by expatriate Kosovar Albanians in Europe. With the fall of communism in Eastern Europe and in the Balkans, Kosovar Albanians increasingly became involved in the illicit but very lucrative international drug trade, e.g., dominating the illicit heroin

market in Zurich, Switzerland, and the drug transit routes through the Balkans into Western Europe.<sup>52</sup>

The forcible dissolution of Yugoslavia through armed civil conflict quickly demonstrated to the separatist Kosovar Albanians that their political goal of “independence” for Kosovo was attainable through the use and force of arms. Although the “public relations face” of the peaceful separatist movement of the Kosovar Albanians rested with Ibrahim Rugova, more militant elements among the Kosovar Albanians both in Kosovo and abroad were organizing for an armed secessionist uprising. These militant elements concentrated around the Marxist-Leninist Kosovar Albanians — the “Enverists” (from the name of Enver Hoxha, the Stalinist leader of Albania) —who had certain idealistic notions not rooted in the cruel reality of Albania’s “communist paradise.” By 1990-1992, these elements had established military training camps in Albania with the financial support of Kosovar Albanian expatriates.<sup>53</sup> These elements benefited from the Kosovar Albanian desertions from the JNA and the creation but non-used and eventually disbanded unit of Kosovar Albanians in the separatist Croatian army in 1991. These elements developed into the Kosovo Liberation Army (KLA or UCK) in December 1993. Hashim Thaçi, the current “Prime Minister” of “independent” Kosovo, was one of the founding members of the KLA.<sup>54</sup> The KLA membership, disappointed with the lack of results from Rugova’s LDK, quickly and clearly focused on a violent armed secession “in pursuit of the goal of a greater Albania.”<sup>55</sup> While Rugova was portraying the LDK separatist agenda as an issue of Kosovar Albanian “human rights” to the West, this was used by the KLA as a tactical device in the pursuit of political violence that simply had as final aim the ultimate and secessionist control of

Kosovo's territory.<sup>56</sup> During the 1991-1993 period, the active collaboration between the LDK, the KLA and the post-communist era Albanian governments for a "unified Albania" also intensified within Albania itself.<sup>57</sup> KLA's concept of a "unified" or "greater Albania" was not limited only to the territory of Kosovo itself but it was inclusive of "all or part of Albania proper, Serbia (Preševo, Bujanovac, Medvedja), Montenegro (Dukagjin, Plav, Rozaj), the Republic of Macedonia (Tetovo, Gostivar), and Greece (Chamuria)."<sup>58</sup>

The change in the United States military leadership in 1993 and the desire of certain U.S. foreign policy makers, including Mr. Richard Holbrooke and others, in the new Administration of President Bill Clinton, signaled a more aggressive U.S. policy in Europe and in the Balkans. The target of this policy was to make the North Atlantic Treaty Organization (NATO) alliance "relevant" in Europe and in the Balkans.<sup>59</sup> The 1994-1995 outcome of the Yugoslav Civil War in Bosnia-Herzegovina that reflected the new interventionist policies of the United States Clinton Administration provided an additional frame of reference for KLA's separatist strategy. The NATO alliance under the leadership of the United States could be politically maneuvered to employ its military forces, especially its air power, in assisting KLA's secessionist aims from Serbia and Montenegro that had largely replaced and substituted for the former Socialist Federal Republic of Yugoslavia (SFRY). The use of NATO's air power against Serb forces during the civil conflict in Bosnia Herzegovina was politically instrumental in reaching the 1995 Dayton Accords which brought this conflict to the end.<sup>60</sup> But while the attention of the West and the United States was concentrated on the Yugoslav Civil War in Bosnia-Herzegovina, the Rwanda genocide took place in 1994 when the native Hutu regular military forces and Hutu irregular Interahamwe militia carried out a preplanned

and deliberate massacre of 750,000 – 800,000 ethnic Tutsis and moderate Hutus (including Hutu members of the civilian government that perished in the process), within a period of a few months. The West simply watched and the local United Nations (UN) military mission in Rwanda (UNAMIR) was unable to either prevent or stop this humanitarian disaster.<sup>61</sup>

The 1995 Dayton Accords did not deal with the status of Kosovo nor were there any deliberations on the separatist aspirations of the Kosovar Albanians. The absence of the Kosovo issue at Dayton, and the subsequent EU formal recognition of the Federal Republic of Yugoslavia (FRY) that was composed of Serbia (including Kosovo) and Montenegro, accelerated KLA's plans for a separatist armed struggle and degraded the political stature and significance of Rugova's LDK non-violent separatist movement.<sup>62</sup> The KLA initiated its armed secessionist campaign against FRY in February 1996 with a series of bombing and shooting attacks against police forces, military facilities, other governmental installations, and Serb and Kosovar Albanian civilians.<sup>63</sup> The KLA also attacked Serb civilians who had fled from Croatia at the end of the conflict in Bosnia-Herzegovina and were residing in refugee camps in Kosovo.<sup>64</sup> Although the Albanian government of Dr. Sali Berisha was assuring the United States Administration of President Clinton in 1996 that it would not seek to unify Albania with "the unruly next-door Serbian province" of Kosovo in return for a U.S. military assistance package of \$100 million,<sup>65</sup> the KLA had already established a number of bases and training camps within Albania with the tacit knowledge and approval of the Albanian governmental authorities. The financial pyramid collapse of Dr. Berisha's government in neighboring Albania in the spring of 1997 led to the widespread looting of unguarded Albanian army



depots packed with a variety of infantry weapons including AK-47 Kalashnikov assault rifles, military explosives, and ammunition.<sup>66</sup> A large number of these weapons, munitions and explosives were simply transported across the Albanian frontier and equipped the KLA in Kosovo at no cost.<sup>67</sup> The stage was set for the 1998-1999 Kosovo crisis.

### The 1998-1999 Kosovo Crisis

While the KLA was accelerating its separatist military campaign against the FRY authorities in Kosovo, thus consciously and on purpose invoking the counter-guerilla warfare reaction of the FRY domestic security and military forces, the policy of the West in general and the United States in particular on the Kosovo issue lacked focus and provided contradictory signals with disastrous policy implications. The Clinton Administration U.S. Department of State (U.S. DOS) under the leadership of Secretary of State Madeleine Albright originally classified the KLA as a terrorist organization. The United States *legal* classification of the KLA as a terrorist organization should have transformed KLA's members into international pariahs akin to the status that Al Qaeda's membership has today (especially in view of the KLA's recorded contacts with Al Qaeda and Al Qaeda's arrival in the Balkans during the civil conflict in Bosnia-Herzegovina).<sup>68</sup> The same legal restrictions would have also subjected the U.S.-based financial and war materiel supporters of the KLA to federal criminal prosecution. In short, United States policy vis-à-vis the KLA should have been characterized by "no tolerance, no compromise, no mercy."<sup>69</sup> At the same time, the United States was conveying the message to Milosevic that it did not approve of FRY's heavy-handed counter-guerilla tactics against the KLA in Kosovo, but that the U.S. was viewing the Kosovo issue as an internal problem that could be dealt with by the Belgrade government.<sup>70</sup> Although the

declarations to that effect by United States Special Representative Robert Gelbard during a visit in Belgrade on February 23, 1998 may have been designed to accomplish political expediency in praising the cooperation of the FRY government in matters pertaining to the Serb Republic of Srpska in Bosnia-Herzegovina,<sup>71</sup> they may also have had the unintended or intended consequences of hardening Serb attitudes in Kosovo.<sup>72</sup> On February 28, 1998, a firefight between FRY police and KLA armed guerillas developed into full scale counter-guerilla operations by FRY domestic security forces during which long-sought KLA members, Serb policemen, and a number of Kosovar Albanian non-combatants were killed.<sup>73</sup>

As the Western media started to again focus on the alleged “renewed Serb atrocities in the Balkans,” United States foreign policy started to undergo a fundamental shift on the Kosovo issue. The U.S. DOS management of the issue was soon taken over by Richard Holbrooke while U.S. Army General Wesley K. Clark, NATO Supreme Allied Commander Europe (SACEUR), was also actively involved in the process. Both Holbrooke and Clarke were intimately involved with the United States and NATO military intervention that led to the 1995 Dayton Accords.<sup>74</sup> Thus, the United States policy on the Kosovo issue was again being redefined within an interventionist framework that — supposedly — would protect the human rights of the Kosovar Albanian ethnic minority. At the same time the legitimate and fully compatible with international law self-defense reaction of the FYR government against a domestic separatist guerilla campaign started to be characterized as having a “genocidal intent... against the Kosovar Albanian population as a whole.”<sup>75</sup> The fact that the FRY police and military units in Kosovo lacked the necessary manpower to adequately safeguard

their own lines of communications — let alone organize a systematic and pre-planned “genocide” against the vastly more numerous Kosovar Albanian population and when Serb Orthodox Christian monasteries were sheltering Serb and Kosovar Albanian refugees alike — does not appear to have entered the calculus of United States foreign policy decision makers. However, the United States deceptive emphasis on the “human rights” of the Kosovar Albanians provided the appearance of a “unity of purpose” between the U.S. and some of its NATO European allies for a new “humanitarian intervention” in the Balkans that again would include a military dimension.

The fighting in Kosovo intensified in the summer of 1998. KLA’s efforts to take over certain geographic areas of Kosovo, including the small town of Orahovac, were met with FRY police and Army unit counterattacks that eliminated KLA positions and forced the lightly armed KLA guerilla bands to stop engaging the more heavily armed FRY police and military units, and to withdraw as far as their logistical support bases within Albania proper, e.g., Tropoje. The intensity of the fighting created significant population movements among Kosovo’s ethnic populations, and by August 1998 the number of the domestically displaced persons had reached 200,000 persons, and this refugee situation created adverse publicity for the FYR government despite the fact that a considerable number of ethnic Serb civilians had also been uprooted because of the fighting and a number of them had been killed by KLA guerillas.<sup>76</sup>

In October 1998 the United States Clinton Administration for all intents and purposes ceased to be a neutral party and an “honest broker” in the Kosovo conflict. Richard Holbrooke and General Clark visited Milosevic and demanded a cessation of FRY offensive counter-guerilla operations in Kosovo and a withdrawal of military and

domestic security forces from certain Kosovo areas under the immediate threat of aerial bombardment.<sup>77</sup> The United States actions did not involve the KLA despite its pre-existing U.S. DOS classification as a “terrorist organization.” In short, United States foreign policy overtly aligned with the violent separatist aims of a foreign “terrorist organization” despite the explicit and opposite mandate of U.S. federal law. FRY’s initial compliance with the troop withdrawal demand proved to be unsustainable because the KLA guerilla bands resumed their offensive operations that included attacks against Serb civilians and FRY military and domestic security forces had to react. KLA’s increased operational tempo was noted both by the UN and civilian monitors in Kosovo, while the United States intelligence apparatus made the assessment that KLA’s actions intended to bring NATO in support of KLA’s secessionist war in Kosovo.<sup>78</sup> The internally displaced persons within Kosovo multiplied while the counter-guerilla operations of the FRY resulted in more non-combatant victims.<sup>79</sup> The United States made the preservation of the “gains” in Bosnia, the “humanitarian crisis” in Kosovo, and the “credibility” of the U.S. and NATO as its policy goals in the continuing Kosovo crisis and orchestrated the Rambouillet conference near Paris, France, in February 1999.<sup>80</sup> The Rambouillet proposed agreement essentially paved the way initially for increased autonomy for Kosovo within the FRY, but also contemplated a referendum that could lead to Kosovo’s secession.<sup>81</sup> The proposed agreement also contained provisions in a Military Annex that contemplated not only the entry of NATO peacekeeping forces within the Kosovo region itself, but would have also permitted the “unrestricted passage and unimpeded access throughout FRY” for NATO’s land, naval and air forces.<sup>82</sup> This glaring infringement on FRY’s national

independence, sovereignty and territorial integrity was clearly unacceptable to the Belgrade government which rejected the proposed agreement. The mixed “representative” KLA-LDK delegation (with KLA's Hashim Thachi clearly calling the shots) rejected the proposed agreement at Rambouillet because it was not immediately achieving the declared secessionist aims of the Kosovar Albanians. The Kosovar Albanians signed-on to this proposal after they received assurances that NATO air strikes against FRY would have had to be otherwise postponed. Holbrooke's threats to Milosevic about impending NATO air strikes never ceased. The Rambouillet negotiations came to an end on March 19, 1999.

The Rambouillet conference was a sophisticated, well structured, and very successful diplomatic effort by the United States in manufacturing a pretext for the start of a U.S.-NATO military “humanitarian” campaign against the FRY over the Kosovo issue. The fact that the proposed Rambouillet agreement lacked impartiality — the KLA were conveniently and expediently reclassified from a “terrorist organization” to “freedom fighters” — and contained coercive aspects against FRY's independence, sovereignty and territorial integrity and, thus, was contrary to international law, was largely immaterial for U.S. foreign policy decision makers.<sup>83</sup> The Rambouillet process and its aftermath became one of the prime examples of American “diplomacy by bombing” where short-term gains of NATO alliance cohesion and “sustained credibility” were sacrificed by fostering long-term instability in the Balkans, by attacking a sovereign nation, and supporting an armed and violent secessionist movement that held little regard for human rights but simply aimed at acquiring territory. In short, the United States transformed the NATO alliance into an unpaid agent of the KLA.

The NATO aerial attack against the FRY was not sanctioned by or under international law. The widely-read British magazine *The Economist* wrote the following as UK Royal Air Force fighter aircraft were bombing targets within the FRY:

But, under existing international law, Yugoslav crimes *do not make the bombing legal*. According to the UN's charter, the use of force is allowed in only two circumstances: self-defense against a direct attack, and in carrying out a specific mandate by the Security Council for the maintenance of international peace and security.

Even the NATO countries do *not* claim that that the Serbs' behaviour in Kosovo constitutes a direct attack on any neighbouring sovereign state, much less an attack on them. Although in its resolutions the Security Council has labelled the crisis in Kosovo a threat to peace and security in the Balkans, it has *pointedly not authorised the use of force against Yugoslavia*. The American and British governments have long known that any resolution authorising force would be vetoed by Russia and China, both permanent members of the council. Therefore, NATO's bombing *seems to be a clear breach of the UN charter*.

It also seems to be a clear breach of NATO's own founding document; the 1949 North Atlantic Treaty. Articles 1 and 7 of the treaty explicitly bind NATO countries to act within the UN charter, and Article 5 endorses the use of force only to repel an armed attack against a NATO member.<sup>84</sup>

Various strategic miscalculations also affected the decision-making process of the FRY government. Milosevic was intently focused on preserving his own position in power and lacked long-term vision. Various changes that he implemented within the FRY government deprived him of sound in-depth advice. The FRY military leadership greatly overestimated its technical air-defense capabilities despite the experience from NATO's 1995 air campaign during the civil conflict in Bosnia that involved NATO's use of air-launched precision guided munitions (PGMs) in combination with weapons and tactics for the suppression of enemy air defense (SEAD). At the same time, the FRY military command structure was intent and felt adequately capable of defending the FRY national territory in Kosovo against a ground incursion.<sup>85</sup>

The NATO alliance commenced its air strikes against FRY forces and military targets within Kosovo and around Belgrade on March 24, 1999 and later expanded its air campaign with the inclusion of numerous civilian and military targets within the rest of FRY's territory (Operation *Allied Force*). This aerial bombardment lasted for 78 days.<sup>86</sup> In a parallel to the Axis invasion of Yugoslavia in April 1941, NATO's aerial onslaught against the FRY continued unabated during the period of the Serbian Orthodox Christian Easter Holy Week in April 1999 (the German Luftwaffe had bombed Belgrade on Palm Sunday, April 6, 1941).

The tactical aims of the NATO bombardment of FRY targets within Kosovo failed to produce any tangible results. The FRY Army units of the Third Yugoslav Army that numbered approximately 40,000 men and 300 main battle tanks (MBTs) were well dispersed and camouflaged, and they maneuvered only during night hours.<sup>87</sup> Similarly, FRY command and control facilities were sufficiently hardened and NATO SEAD missions against FRY air-defenses were ineffective because FRY military personnel made evasive use of their air-defense radars and of microwave radar decoys with the result that some NATO anti-radar air launched missiles ended up in Bulgarian territory fortunately without causing any casualties on the ground.<sup>88</sup> At the same time, the FRY legacy air-defense systems primarily of Soviet design and origin were largely unable to shoot down any attacking NATO aircraft. The exception was a mobile surface-to-air missile (SAM) battery with Soviet-era SA-3 Goa (S-125M Neva) commanded by Colonel Dani Zoltan that managed to down an F-117 Stealth Fighter and an F-16 of the U.S. Air Force (USAF). This battery had implemented certain field modifications to its target acquisition radars and its missile control equipment, minimized its radar emissions, and

used false radar emission transmitters to evade anti-radiation missile strikes. Through the use of intelligence and the study of NATO tactics, this unit shot down the F-117 during the night of March 27-28, 1999 with two SA-3 missiles that were fired in a head-on engagement from a distance of 13 km (8.52 miles) and a height of 8 km (22,480 ft.).<sup>89</sup> In a brave but futile attempt to challenge NATO's air supremacy, at least two MiG-29 fighter aircraft of the FRY Air Force in various states of disrepair and lacking modern and functioning electronic warfare equipment were shot down by NATO F-16 fighter aircraft. Despite NATO's air dominance over FRY's territory, intense anti-aircraft artillery fire and SAM launches obliged the NATO aircraft to conduct strike missions from a height of 15,000 ft. Not surprisingly, the FRY Army in Kosovo lost only about ten armored vehicles to NATO air strikes by the end of the Kosovo crisis in June 1999.

Since NATO's tactical air assault against the FRY forces in Kosovo did not produce the desired results — these forces were able to successfully engage in extensive counter-guerilla operations against the KLA despite NATO's air dominance — there was a shift in NATO air operations against FRY's economic infrastructure. Bridges over the Danube River, petroleum product refineries and storage facilities, electric power generating stations, civilian manufacturing facilities (including the *Yugo* passenger automobile manufacturing plant), telecommunications facilities, and civilian government ministries were obliterated by NATO air strikes and cruise missiles launched from U.S. Navy warships in the Adriatic.<sup>90</sup> The direct political result of NATO's air campaign was a stiffening of resolve by the Serbian population, and an intensification of the FRY counter-guerilla campaign in Kosovo. A combination of NATO's air bombardment and the ongoing fighting between FRY forces and KLA bands



in Kosovo produced new streams of displaced persons that — depending on their ethnic and cultural origin — sought refuge in neighboring countries and in Serbia itself. The NATO air bombardment also took a toll on both Serb and Kosovar Albanian civilians, and “collateral damage” included NATO’s bombing of the Embassy of the People’s Republic of China in Belgrade in May 1997.

NATO also contemplated a ground offensive against the FYR forces in Kosovo and NATO ground troop levels gradually increased in neighboring countries. These deployments and ground campaign plans demonstrated the acute political divisions within NATO. The Greek port of Salonika was used for the transit of NATO troops, vehicles and equipment into the Republic of Macedonia when the population of Greece — Orthodox Christian co-religionists and allies with the Serbs in two World Wars — was strenuously opposed to NATO’s attack against the FRY. Although the Greek government of Prime Minister Constantine Simitis was meeting its NATO alliance commitments, it was under considerable domestic political pressure to do otherwise (Greece prohibited the basing of NATO aircraft that executed missions against the FRY at Hellenic Air Force bases). At the same time the leadership of the Republic of Macedonia was worried about the influx of Kosovar Albanian refugees, the influence of the KLA among the considerable ethnic Albanian minority within the Republic of Macedonia, and the fact that a NATO ground campaign could be launched from its territory in order to assist a separatist movement that was also targeting Macedonian territory inhabited by ethnic Albanians for secession as well.<sup>91</sup> Finally, NATO’s air superiority could be negated in ground combat in mountainous terrain with few lines of

communication that was defended by well placed FRY units willing to exact a heavy price from any invading force.<sup>92</sup>

The political intervention of the Russian Federation in April 1999 led to intensive negotiations with the United States and its NATO partners for a solution to the Kosovo crisis and a cessation of hostilities. The Milosevic regime lacked any international political support and was faced with the increasing devastation of FRY's economic infrastructure. Although Milosevic had enjoyed a certain degree of support from the Russian government of Boris Yeltsin, however this support had its limitations and was hampered by Milosevic's former political approval of the coup attempt against the last Soviet government of Mikhail Gorbachev in 1991 that signaled the end of the Soviet Union itself. Russia, despite its overall support for the FRY on the Kosovo issue given the Russian struggle against the Islamist separatist guerilla movement in Chechnya, was unwilling to indefinitely support Milosevic at the expense of Russian interests in its political and economic relations with the EU and the United States.<sup>93</sup> At the same time, NATO was unwilling to suffer the human and political cost of casualties in a land invasion of FRY's territory in Kosovo and potentially during a subsequent protracted asymmetric war against FRY forces. Hostilities in Kosovo came to an end on June 10, 1999, and the NATO-led peacekeeping occupation forces of KFOR numbering about 49,000 personnel entered Kosovo shortly thereafter on the basis of a Military-Technical Agreement as the FRY military and domestic security forces peacefully withdrew in an orderly fashion and with most of their equipment intact.<sup>94</sup> On a *post facto* basis, the UN Security Council endorsed the entry of KFOR into Kosovo by adopting Resolution 1244 which also "guaranteed Yugoslav sovereignty."<sup>95</sup>

The impact of the Kosovo crisis and the economic devastation of Serbia had as immediate political outcome the ouster of Milosevic from Serbia's political life after a democratic presidential election in September 2000 and a popular uprising that upheld the results of that election. Milosevic was eventually taken into custody by the Serb authorities in 2001 and extradited to stand trial before the International Criminal Tribunal for former Yugoslavia (ICTY) in The Hague, Netherlands.<sup>96</sup> Milosevic died in The Hague in March 2006 while standing trial before the ICTY.

### The Aftermath of the Kosovo Crisis

The entry of KFOR into Kosovo did not prevent KLA criminal and armed retaliation against the Serb ethnic population of Kosovo. Many Serb civilians were killed, wounded, and forcibly pushed into becoming refugees in their own country, while others simply disappeared. Only ethnic Serb enclaves such as Mitrovica that neighbors Serbia itself, provided a certain degree of safety. Serb homes and properties were systematically looted and destroyed. The Serb government reports that after June 10, 1999 "more than 200,000 non-Albanians (the majority of them Serbs) fled Kosovo." Although current visitors in Pristina can purchase tourist post cards that depict the cultural and religious treasures and heritage of the Serbian Orthodox Christian Church in Kosovo, in "1999 alone more than 70 churches and monasteries were plundered, desecrated or completely destroyed" and "[e]ven today the most important medieval monasteries, such as Patriarchate of Pec, Visoki Decani and Gracanica depend upon continuous KFOR protection."<sup>97</sup>

The 1998-1999 Kosovo crises and the unrelenting aerial bombardment of Serbia did not only devastate Serbia's economic infrastructure and performance, it also negatively affected the economies of neighboring countries. A number of countries

were negatively impacted by the streams of refugees from the Kosovo area, while the interruption of the land and Danube River transportation routes (NATO had bombed and destroyed a number of bridges over the Danube simultaneously obstructing both land and river communications) severely depressed trade and other economic activities in a number of Balkan countries.<sup>98</sup> Serbia's gradual rebuilding of its economic infrastructure, including major bridges and electric power generating stations, was severely hampered by lack of access to international financial capital because of Serbia's alleged non-cooperation with the ICTY. Serbia's loss of control over a segment of its national territory also had a direct effect in its declining economic performance.

Kosovo's governance by the United Nations Interim Administration Mission in Kosovo (UNMIK) that was supported by the KFOR military peacekeeping contingents may have introduced a certain degree of stability in Kosovo but did not materially improve the human rights situation for the minority ethnic Serbs, neither did it deal successfully with the KLA irredentist aims for an "independent" Kosovo and a "greater Albania." The KLA sponsored and sustained a low intensity guerilla warfare by ethnic Albanians in the Serbian province of Presevo at the Kosovo-Serbia boundaries.<sup>99</sup> KLA members did not hesitate to openly challenge KFOR contingents that attempted to interdict the flow of KLA volunteers and war materiel from Kosovo to the Presevo area,<sup>100</sup> and KLA terrorist attacks continued to claim victims among the ethnic Serbs.<sup>101</sup> Fearing spreading instability in the Presevo valley and Kosovo-Macedonia border areas because of ethnic Albanian guerilla activities in these regions, NATO permitted the entry of regular Serbian Army units in the Presevo buffer zone in the direct proximity of the Kosovo-Presevo boundaries.<sup>102</sup> Although the entry of Serbian Army forces in the

Kosovo-Presevo region helped to stabilize the situation, the KLA influence within the Republic of Macedonia sparked its own armed separatist rebellion by ethnic Albanians in March 2001.<sup>103</sup> The armed insurgency of ethnic Albanians in the Macedonian region of Tetovo was supplied and supported by KLA members in Kosovo. It soon resulted into full scale combat with the military and domestic security forces of the Republic of Macedonia.<sup>104</sup> Both the United States and the EU mobilized to bring an end to the fighting through the Ochrid Accords in August 2001 that also involved the temporary entry of peacekeeping forces into Macedonia that supervised the rather partial “disarmament” of the ethnic Albanian rebels.<sup>105</sup> The behavior of U.S. foreign policy and military forces on the ground again demonstrated a certain degree of partiality by evacuating ethnic Albanian rebels from the village of Aracinovo that was under heavy attack by Macedonian government forces in July 2001.<sup>106</sup> Meanwhile, both United States military forces with KFOR, as well as military and police forces from other nations, were finding out that Kosovo was increasingly used by its extended ethnic Albanian families for illicit drug, weapons, and human trafficking under UNMIK's civil administration.<sup>107</sup> At the same time, legitimate economic activity appeared to stagnate despite the massive amounts of foreign economic assistance that amounted to €273.97 million in 2000 and €260.86 million in 2001.<sup>108</sup>

The dramatic terrorist attack of September 11, 2001 against the United States and the subsequent international mobilization and support for the U.S. military intervention in Afghanistan provided an example for the need to utilize international multilateral cooperative organizations and arrangements in addressing issues that threatened international peace and security. The March 2003 largely *unilateral* military

intervention of the United States in Iraq appeared to borrow a page from the 1999 Kosovo crisis “play book” when the Administration of George W. Bush discarded the concept of multilateralism and adherence to principles of international law governing the independence, sovereignty, and territorial integrity of another country. This strategy involved the United States Armed Forces in a costly five-year military counter-guerilla campaign in Iraq, while providing neighboring Iran — a perceived regional rival of U.S. policies in the Middle East — with increased strategic influence within Iraq itself (e.g., the Shiite Iranians and the majority Shiite Arab population of Iraq). United States foreign policy also followed the same path with respect to the issue of Kosovo’s secession from Serbia and the granting of “independence” to the Kosovar Albanians. The United States decision makers mobilized to fit the various policy means to a preconceived if not outright prearranged end. For example, ex-KLA members were given the “red carpet” treatment in the United States as if they were the officials of a foreign “recognized government.”<sup>109</sup>

In March 2004 the failures of the United States led NATO military intervention in Kosovo became apparent. Based on one more pretext, Kosovar Albanians under the political and organizational guidance of ex-KLA members launched an organized, coordinated and widespread pogrom against the remaining Serb enclaves in Kosovo, while also largely neutralizing the KFOR peacekeepers through “spontaneous popular demonstrations.” The local KFOR commander U.S. Navy Admiral Gregory Johnson determined that these attacks were clearly orchestrated.<sup>110</sup> More than 31 persons were killed, 900 wounded, and in excess of 3,000 ethnic Serbs became refugees in their own homeland leaving behind burnt and looted homes, and at least 22 destroyed or

damaged Serbian Orthodox Christian churches and monasteries.<sup>111</sup> KFOR and UNMIK were totally ineffectual in controlling the widespread violence as it evolved preferring instead to adopt a “self-protection” operational mode. The endemic 60% unemployment rate among Kosovo’s population influenced the wide participation of the Kosovar Albanians in these orchestrated disturbances.<sup>112</sup> With a certain degree of cynicism, Richard Holbrooke, one of the architects of NATO’s military intervention in Kosovo, attributed the March 2004 violence to the delay in granting “independence” to the Kosovar Albanians obviously ignoring the plight of the Serb refugees and essentially “blaming the victim” for the organized pogrom.<sup>113</sup>

By 2005 it was clear that the efforts of the United States and certain other NATO nations were directed in effectuating a *unilateral* imposition of an “independence” solution for the Kosovar Albanians. A massive lobbying effort was undertaken in the United States that mobilized political figures, lobbying firms and prestigious think tanks, including the Center for Strategic and International Studies (CSIS) in Washington, D.C. This effort was largely financed by Albanian expatriates including Mr. Behgjet Pacolli, head of the Swiss-based Mabetex Group. Serbia was still handicapped by its alleged non-cooperation with the ICTY in arresting Radovan Karadzic and Ratko Mladic who had been indicted for war crimes. The diplomatic efforts of Matti Ahtisaari, former President of Finland and special UN representative, provided the “new” approach for a “solution” to the Kosovo crisis.<sup>114</sup> However, this approach was also designed to circumvent the established international recognition mechanism of the United Nations Security Council (UNSC) on issues of national independence since Russia, a permanent member of the UNSC with veto powers, was not likely to formally recognize

the unilaterally implemented secession of Kosovo from the rest of Serbia (Russia was and still is faced with Islamist separatist movements in its Caucasus region).

The March 2007 Ahtisaari Plan reached the rather predetermined result “that the only viable option for Kosovo is independence to be supervised for an initial period by the international community” on the basis “that the other two basic options for Kosovo’s future status — Serbian rule and indefinite UN administration — were either infeasible or unsustainable.”<sup>115</sup> The Ahtisaari Plan not only ignored the option of continuous Serbian sovereignty over Kosovo albeit with the return to a high degree of local autonomy and self-rule, but it also failed to address the fundamental socio-economic realities on the ground. For example, the large economic infrastructure projects in mining and electric power generation in Kosovo had been built during the era of the unified Yugoslavia and the property status of these enterprises was unclear. Serbia, as a successor state to former Yugoslavia, was still responsible and paying the foreign debt attributable to its Kosovo province. The level of uncertainty regarding property rights and Kosovo’s foreign debt obligations were retarding foreign direct investment or other international financing initiatives in Kosovo, exacerbating the phenomenon of chronic unemployment, and depressing the average annual gross domestic product (GDP) per capita to a figure of only €964 in 2005-2006 according to the London, UK, *Financial Times*.<sup>116</sup> For the same reasons, the authority of UNMIK’s Kosovo Trust Agency was unclear in privatizing and disposing of former Yugoslav state-owned economic enterprises in Kosovo.

The predetermined failure of the negotiations for the final status of Kosovo in 2007 — reminiscent of the Rambouillet maneuvering — and the bypassing of the



UNSC, led to the February 17, 2008 unilateral declaration of “independence” by the Kosovar Albanians. The United States, the UK, Turkey, and other EU or NATO members accorded immediate recognition to the “independent” Kosovo. Russia and other countries that are members of NATO and/or the EU have refrained from doing the same largely on the principle that Kosovo’s armed secessionist and unilaterally declared “independence” was a dangerous precedent on issues of national sovereignty and ethnic minorities that resided within the boundaries of various nation-states. These countries include Spain, Romania, Slovakia, Greece, and the independent Republic of Cyprus. In October 2008 Serbia, despite the strenuous opposition by the United States Bush Administration, succeeded in obtaining a UN General Assembly resolution that referred the legal question of Kosovo’s unilateral declaration of “independence” to the International Court of Justice (ICJ) in The Hague, Netherlands.<sup>117</sup>

#### Implications of the Kosovo Crisis and Serbian National Security

The outcome of the Kosovo crisis in 1999 and the unilateral “declaration of independence” by the Kosovar Albanians have become a dangerous precedent for international peace and security, especially in the sensitive and war-torn region of the Balkans. It also provided the wrong “diplomacy by bombing” lessons for the conduct of a largely unilateral United States foreign policy that only seven years later became mired in the Iraq conflict where, ironically, the public face of American diplomacy and force of arms strived to preserve a *unified* Iraq. The paradox of a potentially and totally “independent” Iraqi Kurdistan would present an unwelcome challenge for the U.S. DOS diplomats in comparison to their recognition of an “independent” Kosovo. It will also present a much more serious and immediate strategic challenge for Turkey with its substantial ethnic Kurdish population. Turkey also rushed to recognize Kosovo’s

secessionist and unilaterally declared “independence” unduly focusing on its own creation of the “Turkish Republic of Northern Cyprus” (TRNC) in the Turkish-occupied zone on the island Republic of Cyprus (the TRNC is recognized as an “independent state” only by Turkey). The short-lived but decisive military conflict between Russia and the Republic of Georgia in August 2008 amply demonstrated that armed intervention in support of ethnic separatist movements is a “two way street.” Despite the strong protestations of the United States and the West, Russian armor and mechanized units decisively settled the issue on whether the regions of South Ossetia and Abkhazia would continue to be parts of Georgia’s sovereign territory. Although Kosovo was not widely mentioned in August 2008, the parameters of the 1999 NATO military intervention against FRY were clearly present.

The United States and others continue to argue that military “humanitarian interventions” are justified for the protection of basic human rights of oppressed populations and that national sovereignty perhaps is of “secondary importance.” The ethnic Kurdish minority in Turkey has suffered numerous and massive human rights violations for a number of decades.<sup>118</sup> However, Turkey is a NATO member and major strategic ally of the United States. Thus, the United States never deviated from its policy of classifying the separatist Kurdish PKK guerilla movement as a “terrorist organization” and actively cooperating against it with the Turkish and Iraqi governments. The United States and NATO cooperation with the KLA stands in sharp contrast. Similarly, although the 1999 Kosovo crisis was accompanied by human rights violations, the FRY government forces did not have the numbers nor the plans for any alleged “massive extermination” of the ethnic Albanians. In sharp contrast, the U.S. DOS of the

Clinton Administration debated at length even the use of the term “genocide” for the description of the Rwanda mass murder of 1994. At the end, military “humanitarian interventions” must and do contain national security interests and motives for their execution.

The positions that the United States and certain other countries have adopted in order to justify the legality of the unilateral declaration of “independence” by the Kosovar Albanians under international law largely reflect American policy contradictions when treating issues of national sovereignty and the presence of ethnic minorities. In its April 2009 submission to the ICJ the United States argued that the October 2006 Serbian constitutional reforms and the declaration that Serbia is “a state of all Serbian people” did not contain any guarantees for the autonomy of the Kosovar Albanians.<sup>119</sup>

Correspondingly, the Hungarian constitution contains language that addresses the “protection of all Hungarians.” Such terminology is of interest and is perceived as a national security challenge by Romania which has a Hungarian ethnic minority within its internationally recognized boundaries, despite the fact that both Romania and Hungary are EU and NATO members.<sup>120</sup> Not surprisingly, Russia, Romania, Spain, the Cyprus Republic, and other countries are actively opposing before the ICJ the American positions on the legality of the unilateral declaration of “independence” by the Kosovar Albanians.

The present outcome of the 1999 Kosovo crisis still engenders great risks of ethnic armed conflicts in the Balkans since the irredentist concept of a “greater Albania” is still alive and can be utilized for political ends that will not be desirable for international peace and stability. The United States foreign policy goals remain unclear

in the Balkans and on occasion appear to be subsumed by U.S. – Russian rivalries especially when it comes to issues that involve energy security for Western Europe and “pipeline diplomacy.” Despite the reduction of the KFOR forces and the introduction of the EULEX mission in Kosovo, the United States maintains in Kosovo one of its largest military bases in Europe, Camp Bondsteel. The socioeconomic situation in Kosovo itself remains at undesirable levels. According to the EU Commission, the GDP per capita reached the provisional level of € 1,612 in 2007. Although the unemployment rate declined to 43.6% in 2007, it was still unacceptably high while the population natural growth rate continued to be at a relatively large figure of 12.4 (births minus deaths per 1000 inhabitants).<sup>121</sup> Approximately twenty percent of Kosovo’s 2.15 million inhabitants still depend on foreign assistance for its survival and such aid totaled approximately € 2.23 billion during the 1999-2004 period.<sup>122</sup> The relatively small size of economy in Kosovo-Metohija and the presence of a large underground economy that is based on the illicit trafficking of drugs and weapons, do not bode well for the long-term socio-political stability of Kosovo under its “independent” status.

A true, multilateral, and *impartial* negotiation of the Kosovo crisis without the use of NATO’s military intervention could have avoided the unnecessary conflict and its undesirable political and socio-economic aftermath. The long duration of the Yugoslav Civil Wars had already undermined Milosevic’s domestic political position and the Serbian national economy. Thus, as the October 1998 substantial but temporary withdrawal of FRY forces from Kosovo and the Rambouillet talks in 1999 proved, the Serbian side was willing to negotiate a peaceful end to the Kosovo crisis as long as the United States and NATO were willing — and they were not — to impartially control the

armed and violent separatist actions of the KLA. The entry of an impartial and multilateral UN-sponsored peace keeping force with the appropriate UNSC mandate and jurisdiction *only* within the boundaries of Kosovo proper could have resolved that issue. The conditions of a longer term resolution of the crisis that would have led to a workable and mutually acceptable autonomy for Kosovo, including the appropriate economic incentives encompassing both Serbia proper and the Kosovo region, could have been subsequently established.

Although Serbia has returned to the European fold with its 2009 formal application for accession to the EU, it faces its own serious socioeconomic challenges. Serbia's economy is in need of and survives on a series of international financial loans. The U.S. DOS observes that "only now" Serbia's gross domestic product (GDP) is returning to "levels comparable to 1989."<sup>123</sup> Although the Serbian economy has exhibited healthy rates of growth (e.g., 5.2% in 2006 and 6.9% in 2007),<sup>124</sup> the global economic downturn in 2008 seriously affected such progress and has resulted in an increase in the inflation rate to 13.5% (compared to an inflation rate of 7% in 2007).<sup>125</sup> At the same time the unemployment rate has remained at double digits (18.3% in 2007 and 14.8% in 2008), while the GDP per capita was only €4,002 (approximately \$6,003) in 2008.<sup>126</sup> The global economic downturn in 2008 also slowed down the plans of the Serbian government to liberalize the domestic economy through the further privatization of state-owned economic enterprises in 2008.<sup>127</sup> The Serbian state-owned oil company NIS was privatized in February 2009 with the Russian energy firm Gazprom becoming its new owner as a part of a larger agreement that governs the supply of Russian oil and gas to Serbia.<sup>128</sup>

The lack of a permanent resolution of the Kosovo issue to Serbia's satisfaction retards Serbia's relations with the United States and NATO. Serbia's good political and economic relations with Russia also present a challenge for any notions that Serbia's approach to the Euro-Atlantic alliance should include a Serbian application to join NATO. Russia has traditionally viewed NATO's eastward expansion with both apprehension and suspicion and Serbia has no concrete and immediate motives to disturb its relations with the Russian Federation in this respect. As a European nation Serbia does not have any other plausible alternative but to continue its relationship with the EU, implement the necessary EU mandated domestic socioeconomic reforms, and work for its accession to the EU as a full member. This relationship with the EU provides Serbia with the necessary flexibility to manage its international relations so that it can better protect its own national security interests within its limited economic means.

Serbia's relationship with the United States was upgraded in the first year of the Administration of President Barack Obama when Vice President Joseph Biden visited Belgrade in May 2009. Vice President Biden's realistic assessment with the Serb political leadership was that the U.S. essentially can "continue to agree to disagree" with Serbia on the issue of Kosovo, however, this should not retard progress in Serbian-U.S. bilateral relations on a going forward basis. The Serbian and the United States Armed Forces have initiated a concrete program of consultations and training which in part is financed by U.S. International Military Education and Training (IMET) funds. U.S. Air Force units have also conducted visits to Serbian Air Force bases. Serbia's military industry has also won a number of contracts to supply the armed and domestic security forces of Iraq with a variety of weapons, equipment, and ammunition.

The need for modernizing the Serbian Armed Forces provides increased opportunities for the balanced defense cooperation between Serbia, the United States and other NATO countries. Although the Serbian Armed Forces still utilize legacy military equipment of Soviet design, e.g., the primary air defense mission is primarily undertaken by twenty Soviet-made MiG-21bis L/N fighter aircraft of the 1970s Cold War vintage, Serbia possesses an indigenous arms manufacturing capability and well trained scientific and engineering personnel. Thus, it would be relatively easy to engage in low cost but effective modernization of certain weapons systems in the existing Serb defense equipment inventories with United States or other Western defense electronics.

In view of the unopposed Serbian application for accession to the EU, the United States could politically support Serbia's entry into the EU as it unequivocally has done with the case of Turkey. Although Serbia and the United States "continue to agree to disagree" on the Kosovo issue, the U.S. in cooperation with the EU can provide expert assistance and advice in permanently resolving outstanding issues in relation to the former Yugoslav state-owned economic enterprises in Kosovo, the associated and outstanding foreign debt, and the facilitation of regional trade. For example, both the Serb government and the Kosovo authorities are losing significant amounts of tax revenues from the smuggling of fuel and other commodities across the Serbia – Kosovo boundaries. Similar technical assistance — and perhaps foreign direct investment initiatives — can address outstanding problems for modernizing the Serbia – Kosovo electric power generation and transmission network in an environmentally friendly manner since Kosovo suffers from endemic electric power outages and power

generation there is largely based on lignite-fired power plants that cause air pollution problems.

Despite the deep trauma of the dismemberment of former Yugoslavia, Serbia has the technical capacity to play a regional stabilizing role in the Balkans. It successfully did so in a very balanced manner during the trying period of the Cold War. It has the potential and the capability of performing the same function in an environment of mutual respect for its national independence, sovereignty, and territorial integrity.

### Endnotes

<sup>1</sup> Nicholas Kulish, C. J. Chivers, "U.S. and Much of Europe Recognize Kosovo, Which Also Draws Expected Rejection," *The New York Times*, (New York, NY, February 19, 2008), p. A6.

<sup>2</sup> U.S. Department of State, *Background Note: Serbia*, (Washington, D.C., June 2009). Internet, accessed November 8, 2009.

<sup>3</sup> Sima M. Ćircović, *The Serbs*, (Blackwell Publishing, Malden, MA, 2004), pp. 52-53, 177.

<sup>4</sup> Tim Judah, *Kosovo: War and Revenge*, (Yale University Press, New Haven, CT, 2000), pp. 4-8.

<sup>5</sup> Ćircović, pp. 142-143.

<sup>6</sup> Ćircović., pp. 179-182.

<sup>7</sup> R. G. D. Laffan, *The Serbs: The Guardians of the Gate*, (Dorset Press, New York, NY, 1989), p. 34.

<sup>8</sup> Ćircović, p. 214.

<sup>9</sup> Ćircović., pp. 223-225.

<sup>10</sup> Judah, pp. 17-18; *Yugoslavia a country study*, Glenn E. Curtis, ed., Federal Research Division, Library of Congress, 3<sup>rd</sup> Ed., (U.S. Government Printing Office, Washington, DC, 1992), HQ Department of the Army, DA Pam 550-99, p. 27 (*Yugoslavia Area Handbook*).

<sup>11</sup> *Yugoslavia Area Handbook*, p. 27.

<sup>12</sup> *Yugoslavia Area Handbook*.

<sup>13</sup> *Yugoslavia Area Handbook*, p. 28.



<sup>14</sup> Judah, p. 20.

<sup>15</sup> *Yugoslavia Area Handbook*, pp. 28-30.

<sup>16</sup> *Yugoslavia Area Handbook*, p. 33.

<sup>17</sup> Judah, pp. 24-25.

<sup>18</sup> Duncan Wilson, *Tito's Yugoslavia*, (Cambridge University Press, New York, NY, 1979), p. 16.

<sup>19</sup> *Yugoslavia Area Handbook*, pp. 37-39.

<sup>20</sup> Because the outlawed communist parties in the Balkans had existing underground political organizations, they were able to mobilize effectively against the Axis occupation forces in WW II while soliciting and obtaining popular support from ethnic and societal segments for which the communist ideology itself was either unknown or outright unacceptable. Thus, the communist parties became the nuclei of successful armed resistance movements against the Axis occupation forces not only in the Balkans, e.g., the EAM-ELAS (National Liberation Front – National Popular Liberation Army) in Greece, but in Western Europe as well.

<sup>21</sup> Duncan Wilson, *Tito's Yugoslavia*, (Cambridge University Press, New York, NY, 1979), p. 23

<sup>22</sup> Wilson, pp. 21-22; *Yugoslavia Area Handbook*, pp. 40-41.

<sup>23</sup> Milovan Djilas, *Tito: The Story from Inside*, (Harcourt Brace Jovanovich, Inc., New York, NY, 1980), pp. 24-25; *Yugoslavia Area Handbook*, p. 41.

<sup>24</sup> *Yugoslavia Area Handbook*, p. 41.

<sup>25</sup> *Yugoslavia Area Handbook*, pp. 41-42.

<sup>26</sup> Judah, pp. 27-31.

<sup>27</sup> *Yugoslavia Area Handbook*, p. 42.

<sup>28</sup> *Yugoslavia Area Handbook*, p. 42-44. One million of those killed in World War II, or 58.82 percent, were killed by other Yugoslavs.

<sup>29</sup> *Yugoslavia Area Handbook*, pp. 216-217.

<sup>30</sup> Ćircović, p. 290.

<sup>31</sup> David Gibbs, *First Do No Harm: Humanitarian Intervention and the Destruction of Yugoslavia* (Vanderbilt University Press, Nashville, TN, 2009), p. 51.

<sup>32</sup> Ćircović, p. 290.

<sup>33</sup> *Yugoslavia Area Handbook*, pp. 87-88.

<sup>34</sup> Judah, pp. 37-38.

<sup>35</sup> Judah, p. 38.

<sup>36</sup> Gibbs, p. 175.

<sup>37</sup> *Yugoslavia Area Handbook*, pp. 164-165.

<sup>38</sup> Gibbs, p. 52.

<sup>39</sup> Gibbs, pp. 52-53.

<sup>40</sup> *Yugoslavia Area Handbook*, p. 88.

<sup>41</sup> Gibbs, pp. 55-56.

<sup>42</sup> Gibbs, pp. 56-57.

<sup>43</sup> Gibbs, pp. 176-178.

<sup>44</sup> Judah, pp. 39-40.

<sup>45</sup> Judah, pp. 52-54.

<sup>46</sup> Judah, pp. 55-56; Gibbs, p. 177.

<sup>47</sup> Judah, pp. 61-65.

<sup>48</sup> Gibbs, pp. 100-104. Gibbs persuasively argues that Germany's involvement with the unilateral independence movements of Croatia and Slovenia had *preceded* the start of the Yugoslav Civil Wars in 1991. Gibbs, pp. 77-82.

<sup>49</sup> Gibbs, pp. 107-108.

<sup>50</sup> R. Craig Nation, *War in the Balkans, 1991-2002*, (Strategic Studies Institute, USAWC, Carlisle Barracks, PA, August 2003), pp. 152-154; Judah, p. 77.

<sup>51</sup> Gibbs, pp. 179-180.

<sup>52</sup> Judah, p. 70.

<sup>53</sup> Judah, pp. 104-111.

<sup>54</sup> Judah, pp. 113-116.

<sup>55</sup> Nation, p. 224.

<sup>56</sup> Judah, p. 84.

<sup>57</sup> Miranda Vickers, James Pettifer, *Albania: From Anarchy to a Balkan Identity* (New York University Press, New York, NY, 1997), pp. 154-160.

<sup>58</sup> Nation, pp. 229-230.

<sup>59</sup> Gibbs, pp. 154-155.

<sup>60</sup> Nation, pp. 191-194.

<sup>61</sup> Roméo Dallaire, *Shake Hands With The Devil: The Failure of Humanity in Rwanda* (Random House Canada, Canada, 2003), pp. xi-xviii. Kofi Annan who was the civilian head of worldwide peace keeping operations in the UN in 1994, became UN Secretary General in December 1996.

<sup>62</sup> Judah, pp. 123-125; Gibbs, p. 180.

<sup>63</sup> Nation, p. 226.

<sup>64</sup> International Court of Justice in The Hague, Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo, Written Statement of the Government of the Republic of Serbia, April 15, 2009, ¶ 293, p. 113 (ICJ (Kosovo) – Serbia St.). See also Gibbs, p. 180.

<sup>65</sup> *The Economist*, “Albania: Berisha beacons” (UK, May 18, 1996, 52:55), p. 55.

<sup>66</sup> Christine Spolar, “Many Guns, Few Solutions in Albania: Looting of Armories Litters Chaotic Country With Weapons,” *The Washington Post*, (Washington, DC, March 12, 1997), pp. A21, A23. Approximately 500,000 infantry weapons were looted from the Albanian army depots. David Buchan, “Crime remains a slippery issue: Cracking down on the lucrative trade in drugs and arms is not easy, but pan-European initiatives are in place,” *Financial Times*, Albania Survey (London, UK, February 23, 2000), p. 14.

<sup>67</sup> Judah, p. 128. The infantry weapons that disappeared from the Albanian army depots and ended up in the hands of the KLA in Kosovo far exceeded the conservative estimate of 25,000 AK-47 assault rifles, and included rifle and hand grenades, anti-tank and anti-aircraft weapons, and small mortars. Jane’s – Jane’s Sentinel, *Kosovo: Background to crisis (March 1999)*, (UK). Internet, [http://www.janes.com/defence/news/kosovo/misc990301\\_03\\_n.shtml](http://www.janes.com/defence/news/kosovo/misc990301_03_n.shtml), accessed March 3, 2010.

<sup>68</sup> Gibbs, pp. 180-181.

<sup>69</sup> Nation, p. 228.

<sup>70</sup> Nation, p. 228.

<sup>71</sup> Nation, p. 228.

<sup>72</sup> Gibbs, p. 183.

<sup>73</sup> Judah, pp. 138-140.

<sup>74</sup> Gibbs, pp. 183-184.

<sup>75</sup> Nation, p. 231.

<sup>76</sup> Judah, pp. 158-162, 169-173.

<sup>77</sup> Gibbs, p. 184.

<sup>78</sup> Judah, pp. 190-191.

<sup>79</sup> Gibbs, pp. 185-187.

<sup>80</sup> Nation, pp. 241-242.

<sup>81</sup> Nation, pp. 242-243.

<sup>82</sup> Gibbs, p. 189.

<sup>83</sup> Nation, pp. 244-246; Gibbs, pp. 190-191.

<sup>84</sup> *The Economist*, "War with Milosevic," "Law and right — When they don't fit together," (London, UK, April 3, 1999, 17:21), pp. 19-20.

<sup>85</sup> Gibbs, pp. 231-232.

<sup>86</sup> Gibbs, p. 228.

<sup>87</sup> Nation, p. 252.

<sup>88</sup> Judah, p. 265.

<sup>89</sup> *The Journal of Electronic Defense*, "Secrets of 1999 F-117 Shootdown Revealed," Vol. 29, No. 1, (Horizon House Publications, U.S.A., January 2006), pp. 24-26.

<sup>90</sup> Ivo H. Daalder, Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo*, (Brookings Institution Press, Washington, D.C., 2000), pp. 121-124.

<sup>91</sup> Nation, p. 255.

<sup>92</sup> The defense staff of the Hellenic (Greek) Armed Forces — and possibly the defense staffs of other European NATO countries — strongly counseled against a NATO ground invasion. The Hellenic Army had a long experience of costly fighting in mountainous terrain, including the 1946-1949 time period of the Greek Civil War.

<sup>93</sup> Judah, p. 272.

<sup>94</sup> Gibbs, pp. 200-201.

<sup>95</sup> Judah, p. 285.

<sup>96</sup> Nation, pp. 342, 345.

<sup>97</sup> ICJ (Kosovo) – Serbia St., ¶¶ 365, 367, pp. 131-132.

<sup>98</sup> Gary Dempsey, "Headaches for Neighboring Countries," *NATO's Empty Victory: A Postmortem on the Balkan War*, Ted Galen Carpenter ed. (Cato Institute, Washington, D.C., 2000), pp. 59-62.

<sup>99</sup> Carlotta Gall, "Serb Police, Albanian Rebels and Cowering Villagers," *The New York Times* (New York, NY, November 30, 2000), p. A3.

<sup>100</sup> Michael R. Gordon, "NATO Patrols Edgy Border, This Time Protecting Serbs," *The New York Times* (New York, NY, January 25, 2001), pp. A1, A6.

<sup>101</sup> Carlotta Gall, "Bomb Kills 7 Serbs In Kosovo Convoy Guarded by NATO," *The New York Times* (New York, NY, February 17, 2001), pp. A1, A6.

<sup>102</sup> BBC News, *Yugoslav units enter buffer zone* (London, UK, March 14, 2001). Internet [http://news.bbc.co.uk/1/hi/english/world/europe/newsid\\_1218000/1218634.stm](http://news.bbc.co.uk/1/hi/english/world/europe/newsid_1218000/1218634.stm) accessed March 14, 2001.

<sup>103</sup> Steven Erlanger, "Adrift in the Balkans: NATO Is Frustrated by Albanian Rebels And a Rising Threat to Regional Stability," *The New York Times* (New York, NY, March 12, 2001), pp. A1, A6.

<sup>104</sup> Steven Erlanger, "Wide Offensive By Macedonia Presses Rebels," *The New York Times* (New York, NY, March 26, 2001), pp. A1, A10.

<sup>105</sup> BBC News, *Macedonia peace deal signed* (London, UK, August 13, 2001). Internet [http://news.bbc.co.uk/1/hi/english/world/europe/newsid\\_1488000/1488970.stm](http://news.bbc.co.uk/1/hi/english/world/europe/newsid_1488000/1488970.stm) accessed August 13, 2001.

<sup>106</sup> Michael R. Gordon, "For G.I.'s, a Balkan Road of Neither War Nor Peace," *The New York Times* (New York, NY, July 17, 2001), p. A3.

<sup>107</sup> Dana Priest, *The Mission: Waging War and Keeping the Peace With America's Military* (W. W. Norton & Company, New York, NY, 2004), p. 325.

<sup>108</sup> Vladimir Gligorov, *Costs and Benefits of Kosovo's Future Status* (The Vienna Institute for International Economic Studies, Vienna, Austria, November 2007), p. 8. Internet.

<sup>109</sup> Hashim Thaçi was one of the guest speakers in "The Future of Kosova" International Conference that was organized by the prestigious Center of Strategic and International Studies (CSIS) in Washington, D.C., November 19, 2002. This event was co-sponsored by the National Albanian American Council. Janusz Bugajski, Director, East European Studies, CSIS, presented his paper *Kosova: The Case for Statehood* in the same Conference.

<sup>110</sup> BBC News, *Kosovo clashes 'ethnic cleansing' — The Nato commander in overall charge of Kosovo has likened the recent violence in the province — in which 31 people have died — to ethnic cleansing* (London, UK, March 19, 2004). Internet, <http://news.bbc.co.uk/1/hi/world/europe/3551571.stm> accessed March 19, 2004.

<sup>111</sup> BBC News, *Nato condemns Kosovo extremists — The Nato Secretary General, Jaap de Hoop Scheffer, has blamed last week's violence in Kosovo on extremist ethnic Albanian factions*

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<sup>112</sup> BBC News, *Kosovo residents still on edge — There is an uneasy calm here in Kosovo after the troubles of recent days which left 31 dead and more than 500 wounded* (London, UK, March 23, 2004). Internet <http://news.bbc.co.uk/1/hi/world/europe/3561121.stm> accessed March 23, 2004.

<sup>113</sup> Nicholas Wood, "Kosovars Survey the Damage of Ethnic Violence," *The New York Times* (New York, NY, March 21, 2004), p. 4.

<sup>114</sup> Guy Dinmore, "Battle for Kosovo moves to the corridors of US power: Lobbying in Washington is seen as critical in deciding the final status of the province," *Financial Times* (London, UK, December 2, 2005), p. 4.

<sup>115</sup> International Court of Justice in The Hague, Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo, Written Statement of the United States of America, April 17, 2009, p. 29 (footnote omitted — ICJ (Kosovo) – U.S.A. St.).

<sup>116</sup> Neil MacDonald, "Total sum may not equal hole: A handover by Serbia would leave a big gap in the balance sheet," *Financial Times*, Special Report Kosovo (London, UK, May 30, 2006), pp. 2, 4.

<sup>117</sup> U.S. Department of State, Background Note: Serbia, June 2009. Internet, accessed November 8, 2009.

<sup>118</sup> Noam Chomsky, *The New Military Humanism: Lessons from Kosovo* (Common Courage Press, Monroe, ME, 1999), pp. 52-55.

<sup>119</sup> ICJ (Kosovo) – U.S.A. St., p. 27 (footnotes omitted).

<sup>120</sup> Nicholas Kulish, "Kosovo's actions hearten a Hungarian enclave," *International Herald Tribune* (London, UK, April 7, 2008). Internet <http://www.ihf.com/bin/printfriendly.php?id=11721016> accessed April 7, 2008.

<sup>121</sup> Commission of the European Communities, *Kosovo Under UNSCR 1244/99 2009 Progress Report*, SEC (2009) 1340, (EU, Brussels, Belgium, October 14, 2009), Statistical Annex. Internet.

<sup>122</sup> Gligorov, p. 8.

<sup>123</sup> U.S. Department of State, Background Note: Serbia, June 2009. Internet, accessed November 8, 2009.

<sup>124</sup> Commission of the European Communities, *Serbia 2009 Progress Report*, SEC (2009) 1339 (EU, Brussels, Belgium, October 14, 2009), p. 56 (EU 2009 Serbia Progress Report).

<sup>125</sup> EU 2009 Serbia Progress Report.

<sup>126</sup> EU 2009 Serbia Progress Report, pp. 25, 56.

<sup>127</sup> EU 2009 Serbia Progress Report, p. 26.

<sup>128</sup> EU 2009 Serbia Progress Report, pp. 26-27.